

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Erin Brokate	Team: Team # 3	CCRB Case #: 200907970	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/14/2009 8:20 PM	Location of Incident: 1565 Townsend Avenue	Precinct: 44	18 Mo. SOL 11/14/2010	EO SOL 11/14/2010	
Date/Time CV Reported Thu, 05/14/2009 8:39 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/22/2009 1:01 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Wilfredo Benitez	15506	947459	044 PCT
2. LT Johnny Orellana	00000	920679	044 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Johnny Orellana	Force: Lt. Johnny Orellana used physical force against § 87(2)(b) [REDACTED]	
B.POM Wilfredo Benitez	Force: PO Wilfredo Benitez used physical force against § 87(2)(b) [REDACTED]	

Synopsis

The following complaint was filed by § 87(2)(b) on May 14, 2009 at IAB and was forwarded to the CCRB on May 22, 2009 via log number 09-24567. § 87(2)(b) alleged that on May 14, 2009, at approximately 8:20 pm, there were ten people outside of 1565 Townsend Avenue in the Bronx, and two officers drove by twice. The third time the officers drove by, there was a prisoner van driving behind them. Officers jumped out of the prisoner van and threw her cousin, § 87(2)(b) on a black Ford Explorer, hit him and put him in handcuffs and arrested him. § 87(2)(b) also stated that there is a surveillance camera on a nearby apartment building and § 87(2)(b) stated that she would obtain that footage. § 87(2)(b) said that PO Wilfredo Benitez of the 44th Precinct was the officer who arrested her cousin and that he was involved in throwing her cousin to the ground. § 87(2)(b) also stated that Lieutenant Johnny Orellana of the 44th Precinct also threw § 87(2)(b) to the ground and handcuffed him. While § 87(2)(b) was being arrested, there were about 10 witnesses present. § 87(2)(b) stated that she obtained the telephone numbers and addresses of these witnesses and would provide them at a later date. Because § 87(2)(b) was able to identify PO Benitez and Lt. Orellana by name, the allegations are being pleaded against them.

On June 9, 2009, § 87(2)(b) and § 87(2)(b) were both sent “please call” letters. On June 9, 2009, § 87(2)(b) was called on both her home phone and work phone and both numbers were out of service. On June 9, 2009, a white pages search for § 87(2)(b) and § 87(2)(b) was completed, and this search produced no results. On June 9, 2009, a Lexis/Nexis search for § 87(2)(b) was requested and two telephone numbers were found. On June 10, 2009 and June 11, 2009, the two numbers found for § 87(2)(b) were both found to be wrong numbers. Between June 10, 2009 and June 22, 2009, four more phone calls were placed to § 87(2)(b) however both § 87(2)(b)'s home and work numbers were disconnected. On June 22, 2009, § 87(2)(b) was sent a final “please call” letter. On June 22, 2009, a search of the NYC Department of Corrections website was conducted and neither § 87(2)(b) nor § 87(2)(b) are currently incarcerated.

§ 87(2)(b), § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: